

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

CHARLES SWANSON

Plaintiff

vs.

Civil Action No.: 04-10977-JGD

NATIONAL RAILROAD PASSENGER
CORPORATION

Defendant

PROPOSED JOINT STATEMENT

Pursuant to the Order of Hon. Judith Gain Dein, in her directive that the parties provide a Joint Statement prior to the status conference currently scheduled for January 31, 2005, the parties state as follows:

Current Status:

This matter remains pending. There has been no settlement discussions.

1. Defendant has served its First Set of Interrogatories and First Request for Production of Documents.
2. Plaintiff has served its Answers to Defendant's First Set of Interrogatories and Response to Defendant's First Request for Documents.
3. Plaintiff has identified his expert witnesses.
4. Plaintiff has served his Rule 26 Initial Disclosure.

Scheduling for Remainder of Case:

1. Defendant to serve its answers to interrogatories propounded by the Plaintiff and its response to Plaintiff's First Request for Production of Documents by February 15, 2005.
2. Defendant's experts shall be designated no later than February 28, 2005.
3. Fact discovery shall be completed by May 31, 2005.

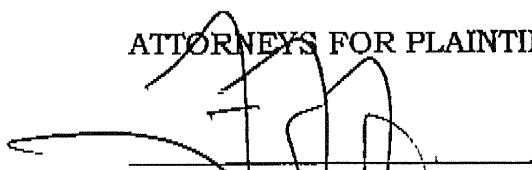
4. Expert discovery shall be completed by May 31, 2005

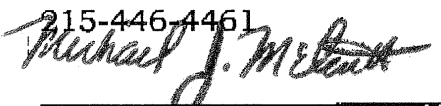
5. Motions for summary judgment shall be filed by July 15, 2005.

Counsel for the parties have agreed that alternative dispute resolution is **not** needed in this case.

Dated: January 25, 2005

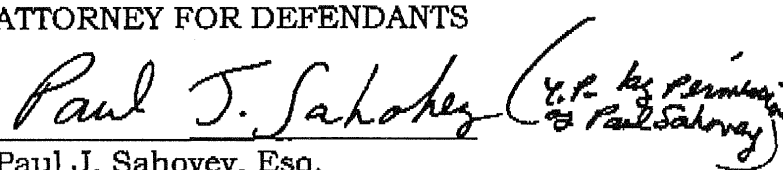
ATTORNEYS FOR PLAINTIFF


Thomas J. Joyce, III, Esq.
HANNON & JOYCE
Public Ledger Building
150 S. Independence Mall West
Philadelphia, PA 19106
215-446-4460
215-446-4461


Michael J. McDevitt, Esquire
Lawson & Weitzen
88 Black Falcon Avenue, Suite 345
Boston, MA 02210
617-439-4990
Local Counsel for Plaintiff

Respectfully Submitted,

ATTORNEY FOR DEFENDANTS


Paul J. Sahovey, Esq.
Massachusetts Bay
Transportation Authority
10 Park Plaza
Boston, MA 02116-3974
617/ 222-3189